

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DALONTE D. FOARD,

Plaintiff,

**8:23CV217**

vs.

TODD BAHENSKY, Director; D. WINKLER,  
Correction Officer; HOBBS, Correction  
Officer; and BEAVERNESS, Correction  
Officer;

Defendants.

**MEMORANDUM AND ORDER**

This matter is before the Court on its own motion. On September 14, 2023, the Clerk of the Court sent an Order to Plaintiff at his last known address. [Filing No. 17](#). The Order granted Plaintiff 30 days to show cause why this case should not be dismissed for failure to pay the initial partial filing fee. [\*Id. at 2\*](#). On September 27, 2023, the order was returned indicating Plaintiff was no longer housed at his last known address at USP Leavenworth. See [Filing No. 18](#).

Plaintiff has an obligation to keep the Court informed of his current address at all times. See NEGenR 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the court of address changes within 30 days).

IT IS THEREFORE ORDERED that:

1. Plaintiff must update his address within 30 days. Failure to do so will result in dismissal of this action without further notice to Plaintiff.

2 The Clerk of the Court is directed to send a copy of this Memorandum and Order to both Plaintiff's last known address listed in the prior change of address filed by Plaintiff, [Filing No. 16](#), and to the following address, which is Plaintiff's current location according to the Federal Bureau of Prisons website:<sup>1</sup>

Dalonte Foard, Register #23341-509  
USP Lee  
U.S. Penitentiary  
P.O. Box 305  
Jonesville, VA 24263

3. Due to Plaintiff's apparent institutional transfer, the Court sua sponte extends the deadline to comply with the Court's Order requiring him to show cause for his failure to pay his initial partial filing fee by October 16, 2023, [Filing No. 17](#), to 30 days from the date of this Order.

4. The Clerk of the Court is directed to send a copy of [Filing No. 9](#), the order granting Plaintiff leave to proceed IFP, to Plaintiff at USP Lee and to the appropriate official at the USP Lee.

4. The Clerk of the Court is further directed to remove the prior case management deadline of **October 16, 2023**: check for response to show cause order, and to set a pro se case management deadline in this case using the following text: **November 1, 2023**: check for response to show cause order and updated address.

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<sup>1</sup> See Federal Bureau of Prisons, *Find an Inmate*, <https://www.bop.gov/inmateloc/> (last visited Sept. 28, 2023).

Dated this 2nd day of October, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Joseph F. Bataillon".

Joseph F. Bataillon  
Senior United States District Court